

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIVYA GUPTA : CIVIL ACTION
v. :
FIRST JUDICIAL DISTRICT OF PA. : NO. 10-4418
:

**ORDER RE: MOTION TO DISMISS OR ALTERNATIVELY FOR SUMMARY
JUDGMENT**

AND NOW, this 23rd day of December, 2010, upon consideration of Defendant's Motion to Dismiss or Alternatively for Summary Judgment as to Plaintiff's Complaint (ECF No. 5), and a hearing held on December 16, 2010, it is hereby ORDERED that Defendant's Motion is DENIED as to the motion to dismiss and is GRANTED as to summary judgment. Final judgment is ENTERED in favor of Defendant and against Plaintiff.

The Clerk shall close this case.

BY THE COURT:

s/Michael M. Baylson

Michael M. Baylson, U.S.D.J.